

United States District Court for the Southern District of Iowa

Presiding: Honorable Rebecca Goodgame Ebinger

Case No. 4:15-cv-00050

: Clerk's Court Minutes – Jury Trial Day 1

Plaintiff(s)

: Defendant(s)

:

DUSTIN BURNIKEL

: MICHAEL FONG; GREG WESSELS; CITY
: OF DES MOINES

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Plaintiff(s) Counsel: Justin K. Swaim; James Wyrsh; Javad Khazaeli; Kiara Nayo Drake

Defendant(s) Counsel: John O. Haraldson

Court Reporter: Terri Martin

: Interpreter: N/A

Motion(s) for Ruling:

Ruling

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Ruling Reserved

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Proceedings:

At 1:06 p.m. Court resumes. Court addresses exhibit issues. At 1:17 p.m., jury enters. At 1:18 p.m., Plaintiff makes opening statement. At 1:35 p.m., Defense makes opening statement. At 2:04 p.m., Court instructs jury as to note taking. At 2:07 p.m., Court reads stipulated facts into record. Plaintiff begins to present evidence. At 2:39 p.m., Court conducts bench conference. At 2:46 p.m., Plaintiff continues to present evidence. At 2:51 p.m., the Court excuses the jury. At 2:53 p.m., the Plaintiff presents an offer of proof outside of the presence of the jury. At 3:03 p.m., Court recesses. At 3:18 p.m., Court resumes. At 3:20 p.m., jury enters. Plaintiff continues to present evidence. At 4:45, Court excuses jury for day. Court resumes outside presence of jury. At 4:48 p.m., Court recesses for the day.

Time in recess: 3 hr 27 min. Time in Court: 15 min.

Time Start: 1:06 pm

Time End: 4:48 pm

Date: November 13, 2018

/s/ Helen Marie S. Berg

Deputy Clerk